

Amendments to the Drawings:

The attached drawing sheets of Figs. 5A and 5B includes changes to Fig. 5B. No new matter was added.

REMARKS

Applicants respectively traverse the rejection to the drawings for at least the following reasons. Fig. 5 as filed and the corresponding description (see paragraphs 56-59) support the addition of Fig. 5B. As the Examiner is well aware, a disclosure in any one of the specification, original drawings or original claims as filed, will support modifications to the other two. See MPEP 608.01(I). In particular, the text refers to an elongate slit that faces downward in the embodiment depicted in Fig. 5A. To further clarify this feature, the applicants submit herewith the amended Fig. 5B that, as indicated, is a bottom view of an air direction device according to the present invention. Thus, applicants respectfully submit the addition of Fig. 5B has not added new matter.

Attachment: Two Replacement Sheets, Figs. 5A and 5B

REMARKS

Claims 1, 2, 4-29 and 31-35 were pending in this application. Claims 11, 24 and 28 have been amended. Claims 1-10, 30 and 35 have been canceled, and no claims have been added. Hence, claims 11-29 and 31-34 are now pending. Reconsideration of the subject application is respectfully requested.

Claims 28, 29, 31 and 35 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 28, 29, 31 and 35 have been rejected under 35 U.S.C. 102(b) as being anticipated by Maltman et al., U. S. Pat. No. 5,722,221.

Claims 11-15 have been rejected under 35 U.S.C. § 102(b) as being anticipated by McCain et al., U. S. Pat. No. 3,717,337.

Claim 11, 24, 32, 33 and 34 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Muller, U. S. Pat. No. 4,511,132.

Claims 16-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McCain et al. in view of Manley et al., U. S. Pat. No. 5,171,005.

Claims 1-4, 6, 9, and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome, U. S. Pat. No. 5,088,711 in view of Otter et al., U.S. Pat. No. 4,718,657.

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome in view of Otter et al.

Claims 7 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome in view of Otter et al. as applied to claim 1 above, and further in view of Hill et al., U. S. Pat. No. 5,388,815.

Claims 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Muller in view of Manley.

REJECTIONS UNDER 35 U.S.C. § 112

Applicants submit the following comments in response to the Examiner's claim rejection under 35 U.S.C. § 112. Support for claims 28, 29 and 31 may be found in Fig. 7 and the corresponding text. In particular, the ends of nozzles 720 and 730 are in a non-parallel arrangement, and are fixedly coupled to fixture 735. Further, as depicted in Fig. 7, the central nozzle 720 is larger than the side nozzle 730. Claim 35 has been canceled, rendering the rejection under 35 U.S.C. § 112 moot.

REJECTIONS UNDER 35 U.S.C. § 102 AND §103

Applicants respectively traverse the rejection to claims 1-10 for at least the reasons provided in Applicants' previously filed Amendment. However, to expedite prosecution, Applicants have canceled claims 1-10 herein without prejudice for later filing in a Continuation or other related application.

Independent claim 11, as amended, further amends the mail processing apparatus to comprise, *inter alia*, a grasping mechanism that swings in a first direction about a hinge point prior to grasping the insert, and swings in a second direction about the hinge point to move the insert. Further, claim 11 as amended provides that the nozzle directs the gas stream onto the insert to hold the insert to the sheet so that the grasping mechanism passes over both the sheet and insert prior to grasping a second or subsequent insert or sheet. Such a mail processing apparatus is not disclosed, taught, nor suggested by either McCain or Muller for at least the reasons previously provided, and for the

further reasons provided herein. For example, Muller uses a rotary transfer unit 12A that rotates about shaft 8 to engage sheets S (see Fig. 3). The rotary transfer unit 12A remains longitudinally and latitudinally stable relative to sheets S on platform 13. Thus, in contrast to the apparatus claimed in independent claim 11, Muller fails to disclose, teach or suggest a grasping mechanism that swings in two different directions about a hinge point. Further, it appears the use of directed air in Muller is meant only to keep consecutive sheets from interfering with each other when they are sliding on platform 13. In contrast, claim 11 provides that the gas stream is directed to hold the insert to the sheet so that the grasping mechanism passes over both the sheet and insert. Further, contrary to the Examiner's assertion, nozzle 20 is not depicted coupled to platform 13. Thus, for at least these reasons, independent claim 11 is allowable over the cited art. Claims 12-23 and 32 are allowable for at least depending from an allowable independent claim.

Similar limitations have been added to independent claim 24 involving a method of processing mail. Again, for at least the reasons previously submitted as well as the reasons discussed above in conjunction with claim 11, Applicants respectively assert that independent claim 24 is allowable over the cited art. Claims 25-27 and 34 are allowable for at least depending from an allowable independent claim.

Independent claim 28 provides a mail processing apparatus comprising, *inter alia*, a nozzle system adapted to direct a gas into the envelope to hold the envelope open for inserts. The nozzle system includes both central and side nozzles, with the two nozzles fixedly coupled together in a non-parallel arrangement, and wherein the central nozzle is larger than the side nozzle. As previously noted in conjunction with discussing Fig. 5B above, these claim limitations are supported by the specification and do not constitute new matter. Further, the use of such nozzle arrangements is neither disclosed, taught nor suggested by the cited art. Thus, Applicants respectively assert claim 28, and dependent claim 29 thereto, are allowable for at least these reasons. Independent claim 31 is allowable for at least the reasons discussed in conjunction with claim 28. In

particular, the cited art fails to disclose, teach or suggest side and central nozzles directing gas in a non-parallel arrangement where the central nozzle is larger than the side nozzle. For example, the nozzles depicted in Maltman clearly are uniform in size, and would intuitively provide a consistent gas flow from each nozzle. Other features of claim 31 are not disclosed, taught nor suggested by Maltman. Thus, claim 31, and dependent claim 33 thereto, are allowable over the cited art.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of

Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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